

REMARKS

Amended claim 1 calls for storing an advertisement for playback with content, and automatically replacing the stored advertisement, the replacing in response to receipt of another advertisement selected to specifically replace said stored advertisement. The Morrison reference fails to disclose an advertisement that is selected to specifically replace a stored advertisement and in response to receipt of the replacement advertisement, automatically replace the stored advertisement.

In the final Office Action, the Examiner explains that the storage medium of Morrison has a finite amount of data to be stored thereon. See Morrison, 5:22-27. As a result, the Examiner explains, in Morrison it is an inherent act in updating commercials that there be a mechanism for overriding or removal of older commercials during updating. Paper No. 4, page 2. It is respectfully submitted that any such inherent act is non-specific; the old commercial merely being overridden or removed when the storage is full.

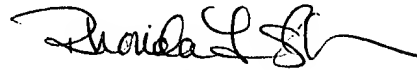
In contrast, according to some embodiments of the present invention, a given commercial may be specifically replaced. For example, a commercial for an automobile dealer advertising a 4th of July sale may be replaced after July 4 has passed. The replacement commercial may be an updated version of the dealer's current commercial or it may be replaced with another advertisement that does not constitute an update. Thus, rather than merely overriding old data, specific advertisements stored on the storage of some embodiments of the present invention may be targeted for replacement. As previously explained, in Morrison a pre-selected message is inserted in a pre-selected program material. Thus, there is no replacing of a specific stored advertisement for playback with content with other advertisements. As Morrison fails to disclose a targeted replacement of commercials, claim 1 and claims dependent thereon are not anticipated.

On a similar analysis, amended claims 12 and 23 and claims dependent thereon are believed to be in condition for allowance.

In view of these amendments and remarks, the application is in condition for allowance.
The Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

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Rhonda L. Sheldon
Registration No. 50,457
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024
713/468-8880 [Phone]
713/468-8883 [Fax]

Customer No.: 21906